

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

LIFE INSURANCE COMPANY OF
NORTH AMERICA,

Plaintiff,

Case No. 5:06cv0048

v

Hon. Richard Alan Enslen

PAULA A. JOHNSON, KINSEY
J. JOHNSON, a minor, HALEY J.
JOHNSON, a minor, MASON A.
JOHNSON, a minor, and JARED
M. JOHNSON, a minor,

Magistrate Ellen S. Carmody

Defendants.

John D. Pirich (P23204)
Angela M. Brown (P56277)
Honigman Miller Schwartz and Cohn LLP
Attorneys for Defendant
222 N. Washington Square, Ste. 400
Lansing, Michigan 48933
(517) 484-8282

Timothy F. Johnson (P46242)
Stariha Law Offices, PC
Attorneys for Paula A. Johnson
200 N. Division Ave.
Grand Rapids, Michigan 49503
(616) 233-9335

ORDER OF INTERPLEADER AND DISMISSAL

1. The Complaint for Interpleader is authorized and the Defendants shall interplead with respect to the Proceeds (as that term is defined in the Complaint for Interpleader).

2. LINA shall be entitled to deduct from the Proceeds its attorneys' fees, expenses and costs incurred in this action in the amount to be submitted via affidavit by LINA's counsel within 14 days and that shall not exceed \$5,000. As part of the ultimate distribution of the Proceeds, the Court shall issue a check to Life Insurance Company of North America from the Proceeds in the amount set forth in LINA's counsel affidavit, not to exceed \$5,000.

3. LINA shall deposit the Proceeds with the Clerk of this Court and shall promptly give notice thereof to all other parties.

4. On LINA depositing the Proceeds in accordance with paragraph 3, above, LINA shall be discharged with prejudice from any further liability to any of the Defendant parties with respect to the Proceeds and shall be dismissed from this case with prejudice.

5. All Defendants in this case are enjoined from instituting or prosecuting any action against LINA regarding the Proceeds in this or any other court.

6. LINA is not responsible for any interest with respect to the Proceeds.

7. This Judgment concludes the first stage of this interpleader case and does not resolve any of the rights of any of the Defendants to the Remaining Proceeds.

8. Pursuant to Fed. R. Civ. P. 54(b), the Court finds that, because this Judgment concludes the first stage of this interpleader case, there is no just reason for delay and directs that this Judgment constitutes a final judgment.

STIPULATED AS TO FORM AND SUBSTANCE FOR ENTRY:

Honigman Miller Schwartz and Cohn LLP

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By: s/Terry L. Hoeksema
Terry L. Hoeksema
Guardian Ad Litem for Kinsey J.
Johnson, Haley J. Johnson, Mason A. Johnson,
and Jaycee M. Johnson

IT IS SO ORDERED.

Dated: August 23, 2006

/s/ Richard Alan Enslen
Richard Alan Enslen
Senior United States District Judge